



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

CITY CLERKS OFFICE
NEW BEDFORD, MA

ZONING BOARD OF APPEALS

2015 JAN 16 P 12:55

SUBMIT TO:
Planning Department
133 William Street
Room 303
New Bedford, MA 0274

Appeal Nr. 4171

Petition for a VARIANCE

Date: _____

The undersigned petitions the Board of Appeals to grant a Variance in the manner and for the reasons hereinafter set forth under the provisions of the Zoning Ordinance to the following described premises:

1. Application Information

Street Address: 67 CHANCERY ST.

Assessor's Map(s): 45 Lot(s) 461

Registry of Deeds Book: 11194 Page: 191

Zoning District: RB

Applicant's Name (printed): DANA B. LEWIS

Mailing Address: 18 TANNER LN. FAIRHAVEN, MA
(Street) (City) (State) (Zip) 02719

Contact Information: 508-326-5783
Telephone Number Email Address

Applicant's Relationship to Property: Owner Contract Vendee Other _____

List all submitted materials (include document titles & volume numbers where applicable) below:

VARIANCE APPLICATION
EXIST BUILDING PLANS
BUILDING PERMIT REJECTION
CHAPTER 34 REVIEW
SITE PLAN
ADJUTER'S LIST
DEED & AERIAL PHOTO

By signing below, I/we acknowledge that all information presented herein is true to the best of my/our knowledge. I/we further understand that any false information intentionally provided or omitted is grounds for the revocation of the approval(s). I/we also give Planning Division staff and Zoning Board Members the right to access the premises (both interior and exterior) at reasonable times and upon reasonable notice for the purpose of taking photographs and conducting other visual inspections.

1/13/15
Date

Signature of Applicant

2. Dimensions of Lot(s) 30.5' 82.74 Area 2448
 Frontage Depth Sq. Ft.

3. Number of buildings on lot 1

4. Size of existing buildings 24X35

5. Size of proposed buildings 24X35 EXIST'G TO REMAIN

6. Present use of premises 2 FAMILY

7. Proposed use of Premises 2 FAMILY

8. Extent of proposed alterations INTERIOR

9. Existing number of dwelling units & bedrooms 7 Proposed 7

10. For commercial uses, please complete the following:

	Existing	Proposed
a) Number of customers per day:	_____	_____
b) Number of employees:	_____	_____
c) Hours of operation:	_____	_____
d) Days of operation:	_____	_____
e) Hours of deliveries:	_____	_____
f) Frequency of deliveries: <input type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Other:	_____	_____

11. Planning Board Site Plan Review and Special Permits:

_____ The applicant is also requesting Site Plan Review and Special Permit(s) from the Planning Board. If so, specify below:
NOT REQUIRED

12. Have plans been submitted to the Department of Inspectional Services? YES

13. Has the Department of Inspectional Services refused to issue a permit? YES

14. Explain what modifications are proposed that would require the requested Variance:
COTTAGE SETUP BETWEEN 2ND & ATTIC
2720 HEIGHT OF BUILDING # OF STORIES

15. State your hardship in accordance with Mass General Laws Chapter 40A Section 10. (Reference the attached "Required Findings For Granting a Variance").

EXISTING CONDITIONS & CHARACTER OF BUILDING

16. Complete for ALL the portions for which you are requesting a Variance:

	Existing	Allowed/Required	Proposed
Lot Area (sq ft)	2448	8,000	2448
Lot Width (ft)	30.5	75	30.5
Number of Dwelling Units	2	1	2
Total Gross Floor Area (sq ft)	2184	10,000	2184
Residential Gross Floor Area (sq ft)	2184	10,000	2184
Non-Residential Gross Floor Area (sq ft)	—	—	—
Building Height (ft)	3.5	2.5	3.5
Front Setback (ft)	20' ±	20'	6' ±
Side Setback (ft)	+ 3.5'	10'	3.5' ±
Side Setback (ft)	+ 3.5'	10'	3.5' ±
Rear Setback (ft)	30' 41.5'	30'	41.5'
Lot Coverage by Buildings (% of Lot Area)	21.84%	30%	26%
Permeable Open Space (% of Lot Area)	—	—	—
Green Space (% of Lot Area)	—	—	—
Off-Street Parking Spaces	—	—	—
Loading Bays	—	—	—
Number of Ground Signs	—	—	—
Height of Ground Sign	—	—	—
Proximity of Ground Sign to Property Line	—	—	—
Area of Wall Sign (sq ft)	—	—	—
Number of Wall Signs	—	—	—

17. Verification of Ownership. By signing this application the petitioner is stating that they have read and understand this application and the accompanying instructions and information. If petition is granted, the approvals are specific to the plans submitted, unless the Board states otherwise. Also, if granted, that the Variance must be recorded and acted upon within one year.

This section is to be completed & signed by the property owner(s):

I hereby authorize the following Applicant: DANA B. LEWIS

at the following address: 67 CHANCERY ST.

to apply for: DIM. HEIGHT VARIANCE

on premises located at: 67 CHANCERY ST.

in current ownership since: OCT 10, 2004

whose address is: 18 TANNER LN, FAIRHAVEN, MA

for which the record title stands in the name of: DANA B. LEWIS

whose address is: 18 TANNER LN, FAIRHAVEN, MA

by a deed duly recorded in the: BRISTOL

Registry of Deeds of County: #197 Book: 11194 Page: 191

OR Registry District of the Land Court, Certificate No.: _____ Book: _____ Page: _____

I/we acknowledge that all information presented herein is true to the best of my/our knowledge. I/we further understand that any false information intentionally provided or omitted is grounds for the revocation of the approval(s). I/we also give Planning Division staff and Zoning Board Members the right to access the premises (both interior and exterior) at reasonable times and upon reasonable notice for the purpose of taking photographs and conducting other visual inspections.

1/13/15
Date

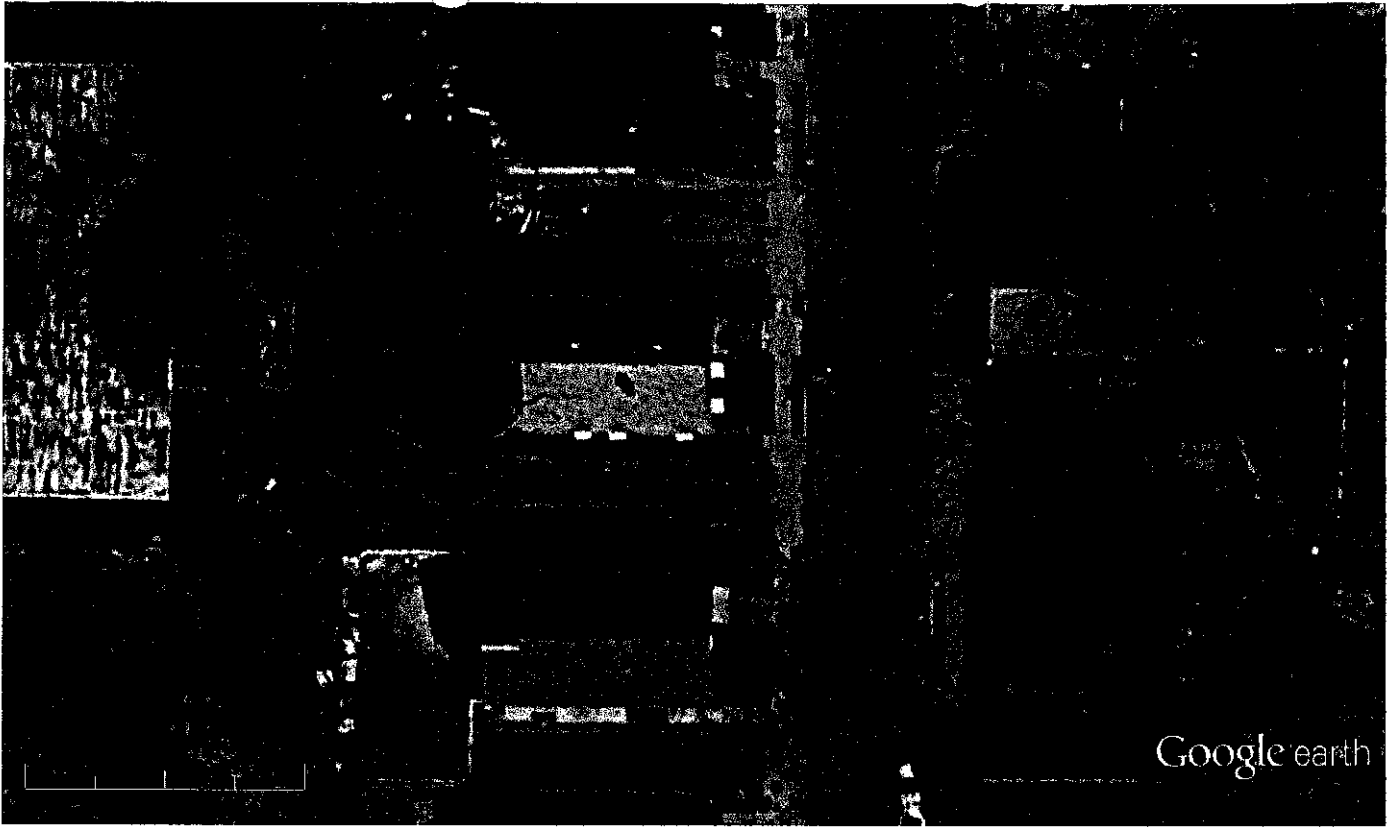
[Signature]
Signature of Land Owner (If authorized Trustee, Officer or Agent, so identify)

APPENDIX

- (1) Owner's/Landlord's Name DANA B. LEWIS
- (2) Title Reference to Property 67 CHANCERY ST,

(Attach copy of Deed, Certificate of Title & most recent Recorded Plans showing affected lot or lots)

- (3) If the Applicant is Not the Owner, Provide:
1. Notarized authorization letter from owner to tenant or buyer for application for this permit, on letterhead.
 2. Copy of Purchase & Sale Agreement or lease, where applicable.
 3. Copy of the deed or deeds of abutting parcels if said parcels have been held in common ownership with the subject property at any time since January 1, 1976.



Google earth

feet
meters



Location: 67 CHANCERY ST

Parcel ID: 45 461

Zoning: RB

Fiscal Year: 2014

Current Owner Information:

SYKES ERIKA B A

67 CHANCERY ST

NEW BEDFORD , MA 02740

Current Sales Information:

Sale Date:

12/31/1989

Sale Price:

\$0.00

Card No. 1 of 1

Legal Reference:

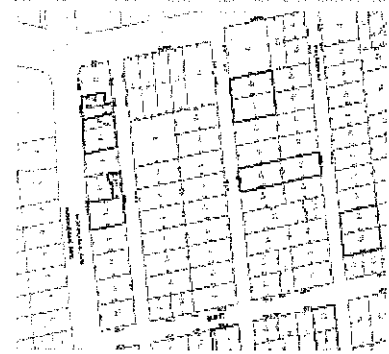
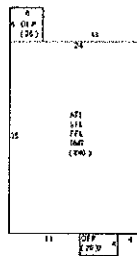
1577-171

Grantor:

N/A

This Parcel contains 0.056 acres of land mainly classified for assessment purposes as Two Fam with a(n) Two Family style building, built about 1916, having Wood Shingle exterior, Asphalt Shingles roof cover and 1680 Square Feet, with 2 unit(s), 8 total room(s), 4 total bedroom(s) 2 total bath(s), 0 3/4 baths, and 0 total half bath (s).

Building Value:	Land Value:	Yard Items Value:	Total Value:
73700	54000	0	127700



Fiscal Year 2014		Fiscal Year 2013		Fiscal Year 2012	
Tax Rate Res.:	15.16	Tax Rate Res.:	14.33	Tax Rate Res.:	13.76
Tax Rate Com.:	31.08	Tax Rate Com.:	29.54	Tax Rate Com.:	28.44
Property Code:	104	Property Code:	104	Property Code:	104
Total Bldg Value:	73700	Total Bldg Value:	76600	Total Bldg Value:	80700
Total Yard Value:	0	Total Yard Value:	0	Total Yard Value:	0
Total Land Value:	54000	Total Land Value:	66200	Total Land Value:	68100
Total Value:	127700	Total Value:	142800	Total Value:	148800
Tax:	\$1,935.93	Tax:	\$2,046.33	Tax:	\$2,047.49

Disclaimer: Classification is not an indication of uses allowed under city zoning. This information is believed to be correct but is subject to change and is not warranted.

(2 page document)

PLEASE RETURN TO:

BK 11194 PG 191
10/08/14 12:00 DOC. 19913
Bristol Co. S.D.

FIDUCIARY DEED

I, Thomas P. Crotty, of 388 County Street, New Bedford, Massachusetts, as Special Personal Representative of the Estate of Erika B. Sykes (Bristol County Probate Court Docket No. BR14P0906EA,) and as Special Personal Representative of the Estate of Milton Sykes (Bristol County Probate Court Docket No. BR14P1527EA,) pursuant to the power conferred by Licenses to Sell issued by the Bristol Probate Court dated September 30, 2014, and recorded herewith, and every other power, for consideration paid and in full consideration of Seventy Thousand Dollars (\$70,000.00) grant to Dana B. Lewis, with an address of 18 Tanner Lane, Fairhaven, MA 02719.

The land in said New Bedford with the buildings thereof, bounded and described as follows:

Beginning at the northeasterly corner thereof of a point in the westerly line of Chancery Street, said point being also the southeasterly corner of land conveyed November 18, 1946 by this grantor and another to Doris R. Lawless; thence southerly in the westerly line of Chancery Street Thirty and 50/100 (30.50) feet to land now or formerly of Louis Herman et al; being lot numbered 3 on a plan of land hereinafter mentioned; thence westerly in line of said lot numbered 3 Sixty (60) feet; thence northwesterly in line of said lot numbered 3, Twenty-five and 35/100 (25.35) feet; thence northerly in line of said lot numbered 3, Nineteen and 94/100 (19.94) feet to lot numbered 1 on said plan; and thence easterly in line of said lot numbered 1 Eighty-two and 44/100 (82.44) feet to the place of beginning.

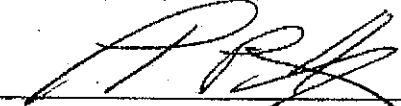
Containing 8.99 rods, more or less, and being lot numbered 2 on plan surveyed for this grantor and others by Samuel H. Coarse, surveyor dated July 24, 1946, recorded in Bristol County S.D. Registry of Deeds. Grantor's title was acquired as devisee under the wills of Joseph H. Fredette, Leona A. Fredette and Augustin E. Fredette, all late of said New Bedford. See also deed from Francis H. Fredette, dated December 13, 1926, recorded with the aforesaid registry, Book 644, Page 329 and deed from Harriet Sheppard to Joseph H. Fredette, dated July 31, 1946 and recorded in the aforesaid Registry of Deeds.

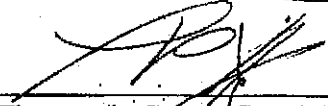
For Grantors' title see plan dated July 24, 1946 recorded with Bristol County (S.D.) Registry of Deeds in Plan Book 37, Page 20, and see Deed in Book 1577, Page 171.

Property Address: 67 Chancery Street, New Bedford, MA

REG. OF DEEDS
REG. #07
BRISTOL
10/08/14 12:02PM 01
00000 #073
FEE \$317.20
CASH \$317.20

Witness my hand and seal this 14th day of October 2014.

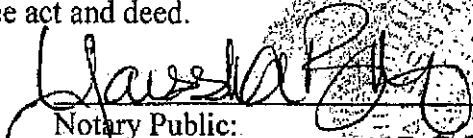

Thomas P. Crotty, Special Personal Representative
of the Estate of Erika B. Sykes

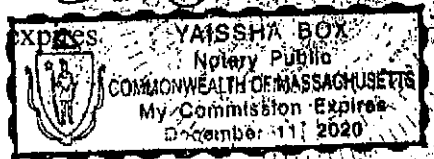

Thomas P. Crotty, Special Personal
Representative of the Estate of Milton Sykes

COMMONWEALTH OF MASSACHUSETTS

Bristol, ss

On this 14th day of October, 2014, before me, the undersigned notary public, personally appeared the above-named Thomas P. Crotty, Special Personal Representative aforesaid, proved to me through satisfactory evidence of identification, which was photographic identification with signature issued by a federal or state governmental agency, oath or affirmation of a credible witness, personal knowledge of the undersigned, to be the person whose name is signed on the preceding page, and acknowledged to me that he signed it voluntarily for its stated purpose and was her free act and deed.


Notary Public:
My commission expires



BR11P0906EA

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, SS.

PROBATE AND FAMILY COURT DEPARTMENT

At a Probate Court held at Taunton in and for said County of Bristol, on the thirtieth day of September in the year of our Lord two thousand fourteen

ON the petition of Thomas P. Crotty as Special Personal Representative of the estate of Erika B. Sykes late of New Bedford

in said County, deceased, testate, praying for leave to sell the following described real estate of said deceased at private sale, for the sum of Thirty-Five Thousand dollars in accordance with the offer named in said petition or for a larger sum, or at public auction, if he shall think best so to do: an undivided one-half interest

See attached description

All persons interested having asserted been duly notified and no person objecting thereto,

It appearing that said offer is an advantageous one and that the interest of all parties concerned will be best promoted by an acceptance of said offer.

It is expedient to sell said real estate of said deceased.

The Commission of Corporations and Administration has released and discharged the lien on said real estate

IT IS DECREED, that the petitioner be authorized to sell and convey at public auction or private sale in accordance with said offer or for a larger sum, or at public auction, if he shall think best so to do, the real estate of said deceased described in said petition, and it is further decreed that said petitioner may become the purchaser of said real estate.

And if, notwithstanding, said petitioner deems it best to sell said real estate at public auction said petitioner is required to give public notice of the time and place of such sale at auction, by publishing a notification thereof once in each week, for three successive weeks, in the

a newspaper published in said New Bedford and, within one year after such sale return his affidavit having given notice, with a copy thereof, to the Probate Court.

Attest: [Signature] Judge of Probate Court Register

EXHIBIT A

The land in said New Bedford with the buildings thereof, bounded and described as follows:

Beginning at the northeasterly corner thereof of a point in the westerly line of Chancery Street, said point being also the southeasterly corner of land conveyed November 18, 1946 by this grantor and another to Doris R. Lawless; thence southerly in the westerly line of Chancery Street Thirty and 50/100 (30.50) feet to land now or formerly of Louis Herman et al; being lot numbered 3 on a plan of land hereinafter mentioned; thence westerly in line of said lot numbered 3 Sixty (60) feet; thence northwesterly in line of said lot numbered 3, Twenty-five and 35/100 (25.35) feet; thence northerly in line of said lot numbered 3, Nineteen and 94/100 (19.94) feet to lot numbered 1 on said plan; and thence easterly in line of said lot numbered 1 Eighty-two and 44/100 (82.44) feet to the place of beginning.

Containing 8.99 rods, more or less, and being lot numbered 2 on plan surveyed for this grantor and others by Samuel H. Coarse, surveyor dated July 24, 1946, recorded in Bristol County S.D. Registry of Deeds. Grantor's title was acquired as devisee under the wills of Joseph H. Fredette, Leona A. Fredette and Augustin E. Fredette, all late of said New Bedford. See also deed from Francis H. Fredette, dated December 13, 1926, recorded with the aforesaid registry, Book 644, Page 329 and deed from Harriet Sheppard to Joseph H. Fredette, dated July 31, 1946 and recorded in the aforesaid Registry of Deeds.

BRI4P1527EA

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, SS.

PROBATE AND FAMILY COURT DEPARTMENT

At a Probate Court held at Taunton in and for said County of Bristol, on the thirtieth day of September in the year of our Lord two thousand fourteen

ON the petition of Thomas P. Crotty Special Personal Representative of the will of Milton Sykes late of New Bedford

in said County, deceased, testate, praying for leave to sell the following described real estate of said deceased - at public auction - at private sale, for the sum of Thirty-Five Thousand dollars in accordance with the offer named in said petition or for a larger sum, or at public auction, if he shall think best so to do: an undivided one-half interest

See attached description

All persons interested having asserted been duly notified and no person objecting thereto, It appearing that said offer is an advantageous one and that the interest of all parties concerned will be best promoted by an acceptance of said offer.

It is expedient to sell said real estate of said deceased.

The Commissioner of Corporations and Taxation has released - discharged the duties and liabilities of said deceased.

IT IS DECREED, that the petitioner be authorized to sell and convey - at public auction - at private sale in accordance with said offer or for a larger sum, or at public auction, if he shall think best so to do, the real estate of said deceased described in said petition, - and it is further decreed that said petitioner may become the purchaser of said real estate.

And if, notwithstanding, said petitioner deems it best to sell said real estate at public auction said petitioner is required to give public notice of the time and place of such sale at auction, by publishing a notification thereof in each week, for three successive weeks, in the said New Bedford and, within one year after such sale returned, an affidavit of having given notice, with a copy thereof, to the Probate Court.

Attest: [Signature] Registrar

Judge of Probate Court

EXHIBIT A

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508 355 0727

CITY CLERKS OFFICE
NEW BEDFORD, MA

2015 JAN 16 P 12: 55

REQUEST FOR CERTIFIED LIST OF ABUTTERS

Attach the Certified List of Abutters to this Certification Letter and Submit all.

The applicant shall complete the request form below, and submit to Planning Department, City Hall, 133 William Street, Room 303, so that a list may be created for use by the applicant.

I, Carol Atwood Administrative Assistant to the Board of Assessors of the City of New Bedford, do hereby certify that the names and addresses as identified on the attached "abutters list" are duly recorded and appear on the most recent tax.

Date: 2/16/2015

SUBJECT PROPERTY:

MAP 45 LOT 461

LOCATION 67 chancery st

OWNER'S NAME Dans B Lewis

MAILING ADDRESS 18 Tanner Lane

CONTACT PERSON Dans Lewis

TELEPHONE NUMBER 5083265783

EMAIL ADDRESS Dansrt6@hotmail.com

REASON FOR REQUEST: Dimensional Variance

PLANNING

JAN 13 2015

DEPARTMENT

10

January 14, 2015

Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as 67 Chancery Street (45-461). The current ownership listed herein must be checked and verified by the City of New Bedford Assessor's Office. Following said verification, the list shall be considered a Certified List of Abutters.

Please note that multiple listed properties with identical owner name and mailing address shall be considered duplicates, and shall require only 1 mailing. Additionally, City of New Bedford-Owned properties shall not require mailed notice.

Parcel	Location	Owner and Mailing Address
45-66	62 CHANCERY ST	FRIAS MATTHEW J, 62 CHANCERY ST NEW BEDFORD, MA 02740-3507
45-331	78-PARK ST 70	MOSS RONALD, MOSS MARY-LISA 78 PARK ST NEW BEDFORD, MA 02740 - 3557
45-52	195 ARNOLD ST	GAIPO JOSE H, GAIPO VERA M 195 ARNOLD STREET NEW BEDFORD, MA 02740 - 3534
45-460	W-CHANCERY ST	JO-JEANNE REALTY LLC, 12 DEEPWOODS DRIVE MATTAPOISETT, MA 02739 -1321
45-332	72-PARK ST 74	ADAMS REBECCA M, 72 PARK STREET NEW BEDFORD, MA 02740 -3557
45-284	21 EMERSON ST	CURRY DOROTHY A, 21 EMERSON ST NEW BEDFORD, MA 02740 -3657
45-64	68 CHANCERY ST	LYNCH DOROTHY, LYNCH JEANETTE M 68 CHANCERY ST NEW BEDFORD, MA 02740-3567
45-51	71 CHANCERY ST	PASTORI BRIAN M, 71 CHANCERY STREET NEW BEDFORD, MA 02740 -3566
45-283	25 EMERSON ST	DRAYTON CHARLES P JR, 25 EMERSON STREET NEW BEDFORD, MA 02740 -3657
45-50	82-PARK ST 84	AMARAL BEVERLY, FREITAS DELVINA 84 PARK ST NEW BEDFORD, MA 02740-3557
45-65	64 CHANCERY ST	LINDEN 35 LLC, 4 JUDSON DRIVE FAIRHAVEN, MA 02719 - 5500
45-387	63 CHANCERY ST	MARTINS JUDY, 63 CHANCERY STREET NEW BEDFORD, MA 02740 -3566
45-461	67 CHANCERY ST	SYKES ERIKA B A, 67 CHANCERY ST PO Box 4001 NEW BEDFORD, MA 02740 02741-4001

January 14, 2015
 Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as 67 Chancery Street (45-461) The current ownership listed herein must be checked and verified by the City of New Bedford Assessor's Office. Following said verification, the list shall be considered a Certified List of Abutters.

Please note that multiple listed properties with identical owner name and mailing address shall be considered duplicates, and shall require only 1 mailing. Additionally, City of New Bedford-Owned properties shall not require mailed notice.

Parcel	Location	Owner and Mailing Address
45-386	61 CHANCERY ST	TREMBLAY MARIA, TREMBLAY DANIEL 178 HAPWELL STREET NEW BEDFORD, MA 02740-2920
45-49	73 CHANCERY ST	DEMORANVILLE NANCY, 73 CHANCERY STREET NEW BEDFORD, MA 02740-3566
45-285	19 EMERSON ST	COELHO BERNADETTE, 19 EMERSON STREET NEW BEDFORD, MA 02740-3657
45-48	92 PARK ST	ORLOWSKI JUDITH M, ORLOWSKI EDWARD 69 DR. BRALEY ROAD E FREETOWN, MA 02717-1327
45-63	72 CHANCERY ST	CHUMACK SHEILA M, 72 CHANCERY ST NEW BEDFORD, MA 02740-3507

